REMARKS

This Amendment, submitted in response to the Office Action dated May 17, 2006, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-15 are now all the claims pending in the application.

I.   Objection to Drawings

The Examiner objected to the drawings under 37 C.F.R. § 1.83(a). The Examiner asserts that the first and second analyzer, the third and fourth field, and the first and second generator must be shown in the drawings or canceled from the claims.

The first analyzer and the second analyzer are illustrated in Fig. 1. As discussed on Applicant's specification at page 11, paragraph bridging pages 11 and 12, the first analyzer at least partly corresponds with buffer 20 and/or processor 30. The second analyzer corresponds at least partly with processor 36.

The third field and the fourth field are disclosed in Figs. 1, 3 and 4. As discussed in Applicant's specification at page 11, paragraph bridging pages 11 and 12, an output for sending a further signal to a further network unit (see Fig. 3, Telecommunications Network comprising a plurality of network units) comprises a third field which is directly analyzable and a fourth field which is analyzable after processing in said further network unit corresponds with an output of Translator 13.

The first generator and the second generator are illustrated in Fig. 1. As discussed on page 12, paragraph bridging pages 11 and 12, the first generator at least partly corresponds with

processor 33 and/or 36 and the second generator at least partly corresponds with processor 33 and/or 36.

In view of the forgoing, Applicant submits that the first and second analyzer, the third and fourth field, and the first and second generator are illustrated in the figures. Therefore, Applicant respectfully requests that the objection to the drawings be withdrawn.

II. Claim Rejections under 35 U.S.C. § 112

Claims 1-13 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement.

The Examiner asserts that the specification does not adequately describe the third field and the fourth field. Further, the Examiner asserts it is unclear as to what the third and fourth fields are used for.

As discussed at page 11, paragraph bridging pages 11 and 12, an <u>output</u> for sending a further <u>signal</u> to a further <u>network unit</u> (see Fig. 3, Telecommunications Network comprising a plurality of network units 91-99) comprises <u>a third field</u> which is <u>directly analyzable</u> and a <u>fourth field</u> which is <u>analyzable after processing</u> in said further network unit corresponds with an output of Translator 13. The third and fourth fields are part of a signal output by, for example, translator 13 of network unit A to another network unit in a telecommunications network. Similar to the first field, which is directly analyzable, and the second field, which is analyzable after processing, of a signal input into the network unit A, the output signal includes a field which is directly analyzable (third field) and a field which is analyzable after processing (fourth field).

For at least the above reasons, Applicant submits that the specification sufficiently describes the third field and the fourth field. Consequently, Applicant respectfully requests that the 35 U.S.C. § 112, first paragraph objection be withdrawn.

III.   Claim Rejections under 35 U.S.C. § 102

Claims 1, 2, 4-8, and 10-13 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Matsuzawa et al. (U.S. Publication No. 2003/0067929)[1].

Claims 1, 5, and 7

Claim 1 recites "at least one input for receiving **a signal** comprising a **first field which is directly analysable** and **a second field which is analysable after a processing.**" The Examiner asserts that the network 321 or the MAC controller 331 teach the claimed at least one input. The Examiner further asserts that the cut-through label identifier in the OUI field of the SNAP header teaches the claimed first field and the instance where there is no cut-through declarator teaches the second field.

Assuming *arguendo* the OUI field discloses the claimed first field, there is no teaching or suggestion of a second field which is analyzable after processing. The Examiner asserts that paras. 85, 89 and steps 403-404 of Matsuzawa disclose the claimed second field. The aspects of Matsuzawa cited by the Examiner disclose performing network layer processing in the event a cut-through label identifier is **not** located in the SNAP header of a MAC frame. If the value in

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[1] Applicant notes that Matsuzawa et al. (U.S. Publication No. 2003/0067929) does not qualify as prior art under 35 U.S.C. § 102. However, Matsuzawa Publication No. 2003/0067929 is a continuation of application number 09/267,769 granted U.S. Patent No. 6,490,292 which qualifies as prior art under 35 U.S.C. § 102(e). Consequently, Applicant submits the following comments in traversal of the rejection.

the OUI field is <u>not</u> a cut-through declarator, the MAC frame undergoes datagram processing. See para. 93. However, there is no teaching or suggestion of a second field which indicates "no cut-through declarator," as suggested by the Examiner. Therefore, the MAC frame will at most have a single field indicating the existence of a cut-through declarator.

Claim 1 recites "a processor for performing said processing of second information originating from said second field." The Examiner asserts that datagram processing unit 301 and L3/MAC processing unit 305 teach the claimed processor. However, as discussed above, Matsuzawa does not disclose a second field of a signal, let alone second information originating from the second field of a signal.

Claim 1 recites "a second analyser coupled to said processor for analysing processed second information." The Examiner asserts that LLC header processing unit 306 teaches the claimed second analyzer.

The LLC header processing unit 306 determines an upper-layer protocol based on the value of the LLC header described in the received MAC frame and delivers the data to the datagram processing unit 301 or the L3/MAC processing unit 305 (cited by the Examiner for teaching the claimed processor). However, the LLC header processing unit does not analyze <u>processed</u> second information since the LLC header processing unit 306 is delivering data to be processed to the datagram processing unit 301 or the L3/MAC processing unit 305. Therefore, the data of the LLC header processing unit 306 is <u>not</u> processed second information.

Claim 1 recites "at least one output for sending a further signal to a further network-unit and comprising a third field which is directly analysable and a fourth field which is analysable after a processing in said further network-unit." The Examiner asserts that para. 131 of

10

Matsuzawa teaches this aspect of the claim. The aspect of Matsuzawa cited by the Examiner

discloses conducting a search in a datagram flow table 303 using datagram flow identifying

information. However, there is no teaching or suggestion of sending a further signal let alone

that the signal comprises a third field and a fourth field, as claimed.

For at least the above reasons, Applicant submits that claim 1 and its dependent claims

should be deemed allowable. To the extent claims 5 and 7 recite similar elements, claims 5 and

7 and their dependent claims should be deemed allowable for at least the same reasons.

Claims 2, 6, and 8

Claim 2 recites, *inter alia*

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      ...wherein the network-unit further comprises
      a first generator coupled to said at least one
output for generating said third information, and
      a second generator coupled to said at least one
output for generating said fourth information...
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The Examiner asserts that this aspect of the claim is disclosed in steps 405-409 and para.

101 of Matsuzawa. The aspects cited by the Examiner disclose searching a next-hop information

table 370 according to a cut-through label identifier.   However, there is no teaching or

suggestion of a first generator which outputs third information or a second generator which

outputs fourth information. For at least the above reasons, claim 2 should be deemed allowable.

To the extent claims 6 and 8 recite similar elements, claims 6 and 8 should be deemed allowable

for at least the same reasons.

Claim 12

Claim 12 recites "wherein said first field comprises a plurality of subfields, wherein one

of the plurality of subfields comprises the first information." The Examiner asserts that cut-

through declarator 101, flow identifier 102 and link address 103 of Fig. 1 disclose the claimed

subfields of the first field.

On page 3 of the Office Action, the Examiner asserts that the OUI field of the SNAP

header as illustrated in Fig. 2, discloses the claimed first field. However, cut-through declarator

101, flow identifier 102 and link address 103 (subfields as cited by the Examiner) are not part of

the OUI field (first field as cited by the Examiner). Cut-through declarator 101, flow identifier

102 and link address 103 form components of the MAC frame 201. See Fig. 2. Cut-through

declarator 101 corresponds with cut-through declarator 206 of the MAC frame, flow identifier

102 corresponds with flow identifier 207 of the MAC frame, and link address 103 corresponds

with either destination MAC address 202 or source MAC address 203 according to a protocol

implementing the cut-through function provided in the nodes. See paras. 76, 80 and 82.

Therefore, Matsuzawa does not disclose a first field (OUI field as cited by the Examiner)

comprising a plurality of subfields. For at least the above reasons, claim 12 should be deemed

allowable.

Claim 13

Claim 13 recites "wherein said first field is the first occurring field among a plurality of

fields of a packet of the signal." It is apparent upon viewing Fig. 2 of Matsuzawa that the OUI

field, first field as cited by the Examiner, is not a first occurring field among the plurality of the

MAC frame 201 (signal as cited by the Examiner).

For at least the above reasons, claim 13 should be deemed allowable.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No.: 10/084,217

Attorney Docket No.: Q68604

IV. Claim Rejections under 35 U.S.C. § 103

Claims 3 and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over

Matsuzawa et al. in view of Mauger et al. (EP 1001577). Claims 3 and 9 should be deemed

allowable by virtue of their dependency to claims 1 and 7 for at least the reasons set forth above.

Moreover, Mauger does not cure the deficiencies of Matsuzawa.

Claim 3 recites "wherein said first field comprises a quality field for indicating a quality,

with said second field comprising an IP-address field for indicating an IP-address." The

Examiner concedes that Matsuzawa does not teach this aspect of the claim and cites Mauger to

cure the deficiency. Assuming *arguendo*, Mauger teaches this aspect of the claims, it would not

be obvious to modify the OUI field of Matsuzawa (first field as cited by the Examiner) with a

quality field. The OUI field of Matsuzawa includes a cut-through declarator which indicates

whether network layer processing is to be performed. Consequently, modifying the OUI field of

Matsuzawa to include quality information would result in a substantial modification of the

principle of operation of the MAC frame of Matsuzawa, evidencing that the Examiner's

reasoning is a result of impermissible hindsight. MPEP 2143.01.

For at least the above reasons, claims 3 and 9 should be deemed allowable.

V. New Claims

Applicant has added claims 14-15 to provide a more varied scope of protection. Claims

14-15 should be deemed allowable by virtue of their dependency to claims 1 for at least the

reasons set forth above.
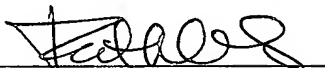
VI.   Conclusion

In view of the above, reconsideration and allowance of this application are now believed

to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is

kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Respectfully submitted,

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WASHINGTON OFFICE
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14